

REMARKS

In paragraph 1 of the Office Action, the Examiner objected to the amendatory subject matter in paragraph on page 8 that begins on line 8 where "exercise and drying" were mentioned. In response, the subject matter that was added to the paragraph that begins at page 1, line 8 has been canceled.

In paragraph 2 of the Office Action, claim 81 was withdrawn from consideration as being directed to an invention that was distinct from the invention that was constructively elected by the presentation of the originally presented claims. In response, claim 81 has been identified as a withdrawn claim.

In paragraph 4 of the Office Action, claims 66-74 and 77-80 were rejected under 35 U.S.C. §102(b) as clearly anticipated by WO99/59955 which was deemed equivalent to U.S. 6,458,987.

Reconsideration is requested.

In particular, the Examiner has cited Examples 6, 8 and 10 of WO 99/59955 in support of this ground of rejection. Claim 66 points out a washing product for washing clothing articles, which is not based merely on cleansing or detergent materials, but is, mainly, a deodorizing composition and the deodorizing effect of claimed composition is "triggered" by human body perspiration enzymes as disclosed in the present specification. In other words, Applicant's washing product provides its main effect, that its deodorizing effect, only as it comes into contact with human perspiration. Upon contact with human perspiration enzymes, the composition reacts with at least a part of the active principle to decompose the alpha and beta hydroxy acid esters thereof into aliphatic alcohols and

alpha hydroxy acids thereby preventing a generation of short chain fatty acids and bad odors as clearly pointed out in new claim 66.

WO 99/59955, which corresponds to U.S. 5,458,987, novel chemical compounds, namely citronellyl lactate and dihydrocitronellyl lactate and their optical active forms are disclosed. These compounds have deodorizing properties merely since the mentioned substances are perfumes. Example 6 of this prior document, cited by the Examiner, discloses a shampoo composition which, it is respectfully submitted, cannot be used for washing cloth articles to trigger the above mentioned deodorizing mechanism. Moreover, this Example does not teach or mention that the active principle of the compound is such as to decompose alpha and beta hydroxy acid esters thereof, which are not actually included in this prior composition. Since the composition of this Example is mainly based on sodium lauryl sulphate and ethoxylated sodium lauryl sulphate, it would not be suitable for washing cloth articles and triggering the above anti-deodorizing mechanism, since this prior composition is merely a perfumed shampoo.

Example 8 of WO99/59955 shows a perfumed hydrating gel to be applied to the skin for perfuming the latter which comprises as a main component thereof deionized water. This prior composition does not have the composition claimed in new claim 66 and cannot be used for washing cloth articles to provide the above described deodorizing mechanism which is triggered by human perspiration enzymes.

Example 10 of WO99/59955 discloses a detergent powder composition which, as a main component thereof includes sodium tripolyphosphate, sodium perborate and

citronellyl lactate. This is a perfumed detergent powder to be used on the skin of a user and cannot be used for washing cloth articles, since is in the form of a perfume, toilette water, after-shave lotions, perfumes, soaps, bath gels, shower gels, deodorant products, anti-perspirant products, shampoos, hair products, talcs, powders, anti-hair deodorants, maintenance products, detergent compositions, for personal care, or textile softening composition. Thus, the only application in the textile material field of this prior product is in softening fabrics.

Thus, the Applicant has demonstrated that new claim 66 is actually novel and inventive over WO9959955, it is respectfully submitted that all claims 66-74 and 77-80 are actually novel and inventive with respect to this reference.

In paragraph 5 of the Office Action, claims 66-69, 71-74, 78 and 79 were rejected under 35 U.S.C. §102(b) as clearly anticipated by Trani et al. (Trani).

Reconsideration is requested.

The Trani patent relates to a bleaching composition which comprises particles of an alkali metal salt of percarbonate or mixtures thereof. The particles of the percarbonate bleach are coated and/or agglomerated with a stabilizing effective amount of a hydrophobic ester of citric acid or mixtures thereof. Thus, the Trani composition is a bleaching composition comprising particles of alkali metal salt of percarbonate bleach. Such a bleaching composition, which could be used only for washing and bleaching white cloth articles, does not provide any deodorizing mechanism triggered by human body perspiration enzymes. Thus, it is respectfully submitted that all claims 66-

69, 71-74, 78 and 79 are actually novel and non obvious over the Trani reference which only teaches a bleaching composition for washing white fabric linen and which would irreparably damage other cloth articles. No anti-deodorizing properties could be obtained by Trani's composition.

In paragraph 6 of the Office Action, Applicant has noted that claims 66 to 80 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Trani.

Reconsideration is requested.

As noted above, Trani is limited to a bleaching composition for washing white fabric linen. The presence of the bleach would irreparably damage other cloth articles. No anti-deodorizing properties could be obtained by Trani's composition.

In this ground of rejection, the Examiner referred to claim 54 which has been canceled. In any event, Trani does not teach the concept of providing an deodorizing washing composition the deodorizing effect of which is triggered by the contact of the composition with the human body perspiration. The Examiner is urging that it would be obvious to add esters because the esters need not be acylated but Trani actually in the structural formula only discloses acylated esters which fails to make the subject matter of the claims obvious.

In paragraph 7 of the Office Letter, Applicant has noted that claims 60-80 have been rejected by the Examiner under 35 U.S.C. 103(a) over Vermeer.

Reconsideration is requested.

Vermeer discloses personal product compositions which exhibit mild cleansing, opacifying, pearlescent and suspending action. These prior art compositions, in particular, are used exclusively as personal care

cleansing composition that are used in the form of a toilet bar soap composition, a hand/facial/body cleanser composition, a shampoo composition, a conditioner human body composition, a oral hygiene composition, a deodorant composition, a shaving cream or shaving lotion composition, a shower gel composition, a cosmetic composition, a bath composition, a skin care composition, a powder or granular composition for personal care, a light-duty manual dishwashing composition, an automatic dishwashing, or a softening rinse composition, for personal care. There is no mention of the use of the Vermeer compositions for washing fabrics.

In particular, Vermeer neither teaches nor suggests that his compositions could be used as a cleansing composition for cloth articles in order to provide a means for releasing deodorizing characteristics by reaction of a component of the washing composition with human body perspiration.

Vermeer neither addresses nor suggests a possible use of the therein disclosed compositions for washing cloth articles to provide on the washed cloth a component that would provide a deodorant effect when the washed article is placed in contact with the enzymes in perspiration. For these reasons it is requested that this ground of rejection be withdrawn.

An early and favorable action is earnestly
solicited.

Respectfully submitted,



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